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16 Attorneys for Plaintiff, Jeffrey Boloten

17 UNITED STATES DISTRICT COURT
 18 FOR THE
 19 NORTHERN DISTRICT OF CALIFORNIA

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 21 JEFFREY BOLOTEN,)
 22) Case No.: 13-CV-02533
 23 Plaintiff,) (M.J. Donna M. Ryu)
 24)
 25 -against-) **MOTION BY STIPULATION**
 26)
 27 DAVID SHENTON,)
 28 Defendant.)
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1 WHEREFORE, by the undersigned counsel of record for the
2 parties to this action, the parties respectfully request that
3 this Court transfer this action to the United States District
4 Court, Eastern District of New York, pursuant to 28 U.S.C.
5 1404(a), so that this action may be consolidated with a related
6 action pending in the United States District Court, Eastern
7 District of New York styled, *Jeffrey Boloten v. Anne Shenton*, CV
8 2013-3225 (JBW) ((MDG) (the "New York Action"), which was filed
9 prior in time to this action;
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13 WHEREFORE, Defendant, David Shenton, by his undersigned
14 counsel, hereby consents to the personal jurisdiction of the
15 United States District Court, Eastern District of New York for
16 these limited purposes;
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18 WHEREFORE, the parties make this application for efficiency
19 purposes and to eliminate the risk of inconsistent verdicts;
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21 IT IS HEREBY STIPULATED AND AGREED, by the undersigned
22 counsel of record for the parties to this action, that, there
23 having been no previous requests for the relief sought herein,
24 the parties request that the Initial Case Management Conference
25 scheduled for August 28, 2013 at 1:30 p.m. be canceled and all
26 deadlines imposed by the Court's Order Setting Initial Case
27 Management Conference and ADR Deadlines dated June 5, 2013, as
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1 amended by the Order dated August 6, 2013, shall be held in
2 abeyance pending the consideration this application.

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4 Dated: August 14, 2013

5 WINDELS MARX LANE
6 & MITTENDORF, LLP

PEDDER, HESSELTINE, WALKER
& TOTH, LLP

7
8 By: 
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

----- x
JEFFREY BOLOTEN,)
) Case No.: 13-CV-02533
Plaintiff,) (M.J. Donna M. Ryu)
)
-against-) **ORDER**
)
DAVID SHENTON,)
)
Defendant.)
----- x

GOOD CAUSE APPEARING THEREFOR,

Upon the Motion by Stipulation filed by the parties on
August 14, 2013 this action is hereby transferred to the United
States District Court, Eastern District of New York, pursuant to
28 U.S.C. 1404(a), so that the transferee court may consider whether the
matter should be related to and/or consolidated with
a related action pending in the United States District Court,
Eastern District of New York styled, *Jeffrey Boloten v. Anne
Shenton*, CV 2013-3225 (JBW)((MDG), which was filed prior in time
to this action.

Dated: August 16, 2013

Hon. Donna M. Ryu